



# Northern Land Council

## Protocols for Media Access

**Under the Aboriginal Land Act 1980, it is the Northern Land Council's responsibility to oversee media access to Aboriginal land on behalf of traditional owners across the NLC's area.**

While Aboriginal land is privately owned, Aboriginal people recognise that it is important for media to have access to their communities so long as cultural sensitivities (e.g. sacred sites, periods of mourning) are respected and appropriate behaviour is observed (see separate Protocols for Media Behaviour).

### **Time to process application**

News journalists should be aware that while the Northern Land Council makes every effort to expedite their permit applications, the final decision rests with traditional owners.

Applicants involved in commercial projects such as films, documentaries or books are advised that the Northern Land Council requires a minimum of 10 days' notice to process an application. If the project is likely to involve a significant impact on Aboriginal people's privacy and property, then eight weeks' (56 days) working notice may be required. These timeframes are required to ensure that all relevant traditional owners are consulted. In many instances, an application will cover a geographical area involving a number of different traditional owners and each must be consulted.

It is sometimes difficult to contact the relevant traditional owners, as they may be at a location that is not easily accessible. This is particularly the case during the Wet season.

### **Providing detail**

Please be as specific as possible in providing information about your news story/media project as this will facilitate consultation with traditional owners.

With regard to commercial media projects, if the subject matter is of a sensitive nature, the proposal is lengthy or there are concerns regarding the proposal, traditional owners may require the submission of a script, shortlist or storyboard to assess the application. The NLC may also decide to obtain professional referee reports. Depending on the commercial project, a formal agreement may be required.

### **Contact and support**

While the NLC may be able to assist with contacts, it is your responsibility to undertake the necessary preliminary research to clarify the issues you wish to cover and/or to identify a community which you think will best suit your needs.

You should gain support for your research or media project from the relevant individuals and/or organisations before applying for a permit.



# Northern Land Council

## Protocols for Media Access

There is limited or no accommodation available to visitors for either short or long term stays in most communities. There may be a decision that you require the assistance of NLC staff and/or an Aboriginal guide/interpreter. Fees may apply.

### **Access**

Bear in mind that once you have your permit, it is your responsibility to check before you visit that the area you wish to travel to remains open to visitors. Landowners have the right to revoke permits at short notice.

The most common reasons for revoking a permit are when:

- A road or section of land is closed for ceremonial reasons (e.g. funerals);
- A road is closed due to damage or potential damage from weather conditions (roads are regularly inaccessible for long periods during the Wet season).

### **Locations**

You are only allowed to film/photograph and interview at those locations listed on your permit. If you are on an organised tour, you should be guided by the operator on where you are allowed to film.

If your permit allows you to areas outside the normal public/tourist areas, you should at all times seek advice on filming and photography from either the local NLC staff before you begin your travels, or from the Aboriginal guide/supervisor accompanying you on the trip.

### **Accuracy**

It is important that all images/recording/writing make every effort to present the Aboriginal people, culture and environment in a manner that is accurate and true to life. The 'primitive nomad' image, for example, does not reflect Aboriginal lifestyle in the 21<sup>st</sup> Century. In Aboriginal communities, people are going to school, running community organisations, shopping at the store, watching TV, playing sport, etc.

All work must sensitively respect Aboriginal culture and accurately present the culture in a way that does not exaggerate, demean, trivialise or distort.

This sentiment is mirrored in the Australian Journalists' Association's own "Code of Ethics", whose 12 core principles are founded on a stated commitment to "honesty, fairness, independence and a respect for the rights of others".

### **Cultural sensitivities**

One of the main areas of sensitivity in any Aboriginal community is the representation of deceased community members, either by name or by image. Each community deals with the death of an individual differently, in some cases authorising the continued use of a dead person's name and



# Northern Land Council

## Protocols for Media Access

image (usually when the deceased has had a high public profile) and in others avoiding any reference to the deceased for many years (see separate Protocols for Media Behaviour).

However, despite the best efforts of authors, film-makers and archivists to edit out deceased people, it is inevitable that images and names of Aboriginal people will remain in the public arena after their death. It is therefore imperative that Aboriginal people are warned in advance that material they are about to read or view could cause distress.

The Northern Land Council therefore advises that films, documentaries and books containing images of Aboriginal people should bear a warning along the following lines:

- “Aboriginal people should be aware that it is possible that some people depicted (in this book/documentary) may have since passed away.”

### **Commercial projects**

Traditional owners may wish to view material prepared for commercial gain before public release.

Copies of the final product must be provided to the participants and also to the NLC. The NLC will be allowed to use the footage for non-commercial purposes.

Footage and photographs must not be used for advertising purposes, unless otherwise agreed, other than promoting the film, documentary or publication for which the permit has been granted.

### **Privacy**

Applicants must remember that they are travelling on private land and they need to respect the privacy of people living in the communities. You must always seek written permission from people if you want to take their photograph or film them for future publication/screening.

### **Overseas applicants**

If you intend working as a journalist/news photographer or carrying out filming/photography for commercial purposes while in Australia, it is a requirement under the Australian Migration Act 1958 that you obtain a 423 (Media and Film Staff Temporary Residence) Visa, obtainable from any Australian Embassy.